

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

VIVIAN RODRIGUES DA-SILVA,)

Plaintiff,)

vs.)

SMITH'S FOOD & DRUG CENTERS,)
 INC., *doing business as* SMITH'S,)

Defendant.)

Case No.: 2:12-cv-00595-GMN-VCF

**ORDER ACCEPTING REPORT AND
 RECOMMENDATION OF MAGISTRATE
 JUDGE CAM FERENBACH
 (ECF Doc. #21)**

Pending before the Court is Defendant Smith's Food & Drug Centers, Inc.'s Motion to Dismiss, or, in the Alternative to Compel Discovery and Award Sanctions, filed December 13, 2012. (ECF No. 14). Also before the Court is the Report and Recommendation of the Honorable Cam Ferenbach, United States Magistrate Judge, entered February 6, 2013. (ECF No. 21).

Pursuant to Local Rule IB 3-2(a), objections were due by February 23, 2013. No objections have been filed. In accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, the Court has reviewed the record in this case and has determined that Magistrate Judge Ferenbach's Recommendation should be **ACCEPTED**.

IT IS THEREFORE ORDERED that Defendant Smith's Food & Drug Centers, Inc.'s Motion to Dismiss, or, in the Alternative to Compel Discovery and Award Sanctions, filed December 13, 2012 (#14) is hereby **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's Complaint is **DISMISSED with prejudice** as a sanction pursuant to Fed. R. Civ. P. 37 and the inherent power of this court to sanction Plaintiff for her bad faith conduct, for the reasons set forth in the Report and

1 Recommendation of the Honorable Cam Ferenbach, United States Magistrate Judge, entered
2 February 6, 2013. (ECF No. 21).

3 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment
4 accordingly.

5 **DATED** this 7th day of June, 2013.

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10 Gloria M. Navarro
11 United States District Judge
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